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As stated in the Court's June 12, 2024 Order (Doc. 42), the Court will issue an oral ruling at the June 13, 2024 conference. The Court will not hear argument from counsel at the conference. Counsel may obtain a copy of the transcript following the issuance of the Court's ruling.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 43.

SO ORDERED.



June

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
June 13, 2024

VIA ECF

Honorable Philip M. Halpern, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Stephen J. Pachella v. Arivo Acceptance, LLC, et al.*
Case No.: 7:23-cv-1090 (PMH)

Dear Judge Halpern:

We represent Defendants Arivo Acceptance, LLC, John Garff, and Robert Avery, jointly and severally ("Defendants"), in this case. We write in response to Plaintiff's request to adjourn the June 13, 2024, 12:00pm, hearing on Defendants' July 31, 2023 motion (the "Motion"), and the Court's recent order denying same (the "Order"). The undersigned is also unavailable tomorrow during the scheduled conference. In light of the Court's instruction, as set forth in the Order, that the Court will not hear argument from counsel at the June 13 Conference, Defendants respectfully request that defense counsel also be granted permission not to attend tomorrow's conference.

Alternatively, in the event that the Court desires defense counsel to attend the conference on the Motion, the undersigned respectfully requests that (1) the conference be held telephonically rather than in-person (because the undersigned very recently relocated to Tennessee and would be unable to attend in-person) and (2) the conference be adjourned to Tuesday, June 18 from 10:00am to 12:30pm EST and Thursday, June 20 from 10:00am-5:00pm EST. We have conferred with Plaintiff's counsel, and counsel for all parties are available on such dates and times.

We thank the Court for its consideration of these requests.

Respectfully submitted,

GORDON REES SCULLY
MANSUKHANI, LLP

Hon. Philip Halpern, U.S.D.J.
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June 12, 2024
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Attorneys for Plaintiff

Via ECF